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June 10, 2014

Clerk of the Court
Washington Court of Appeals, Div. II
Filed electronically

RE: In re PRP of Michael Lar~No. 4365-7-II

Clerk of the Court:

Petitioner submits the following additional authority:

State v. Berg, 177 Wash.App. 119, 310 P.3d 866 (2013) (“Because the State's only evidence of kidnapping was conduct that was merely incidental to the robbery, the evidence is not sufficient under *Green* and *Korum* to support Berg's and Reed's convictions for first degree kidnapping. Therefore we vacate these convictions.”);

State v. Thiefaul, 160 Wash.2d 409, 417, 158 P.3d 580 (2007) (“We hold that Thiefaul received ineffective assistance of counsel under *Strickland*. The Court of Appeals correctly concluded that the Montana attempted robbery statute is broader than its Washington counterpart. The Court of Appeals also correctly found that the motion for leave to file information, the prosecutor's affidavit, and the judgment were insufficient to establish factual comparability. Thus, Thiefaul's attorney provided deficient representation under *Strickland's* first prong when he did not object to the superior court's comparability analysis.”).

Sincerely,
/s/ Jeffrey Ellis
Attorney at Law

cc: Sara I. Beigh, Senior Deputy Prosecuting Attorney

ALSEPT & ELLIS LAW OFFICE

June 11, 2014 - 9:48 AM

Transmittal Letter

Document Uploaded: prp2-453657-Statement of Additional Authorities.pdf

Case Name: In re PRP of Michael Lar

Court of Appeals Case Number: 45365-7

Is this a Personal Restraint Petition? ☒ Yes ☐ No

The document being Filed is:

Designation of Clerk's Papers

Supplemental Designation of Clerk's Papers

Statement of Arrangements

Motion: ____

Answer/Reply to Motion: ____

Brief: ____

☒ Statement of Additional Authorities

Cost Bill

Objection to Cost Bill

Affidavit

Letter

Copy of Verbatim Report of Proceedings - No. of Volumes: ____

Hearing Date(s): ____

Personal Restraint Petition (PRP)

Response to Personal Restraint Petition

Reply to Response to Personal Restraint Petition

Petition for Review (PRV)

Other: ____

Comments:

No Comments were entered.

Sender Name: Jeffrey Ellis - Email: jeffreyerwinellis@gmail.com

A copy of this document has been emailed to the following addresses:

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